

# **KANSAS**

## **FLOODPLAIN MANAGEMENT**

### **TIPS**



**April 2016**

#### **Increased Cost of Compliance**

Almost everyone who has a standard flood insurance policy has a rider on the policy for Increased Cost of Compliance (ICC). Although many people have it with their policy and are paying for it, most are unaware of ICC.

When eligible for ICC you can collect up to \$30,000 to help cover the cost of bringing your home or business into compliance with floodplain regulations. This is additional funds in addition to the flood insurance claim.

To be eligible a building must be substantially damaged or meet the required definition of a repetitive loss property. Since ICC is part of the flood insurance policy the cause of the substantial damage must be flooding. The ICC will not be available for a fire or tornado.

Eligible projects include flood proofing, elevation, relocation and demolition. The flood proofing option is not an option for most residential structures. ICC can also be assigned to a community to integrate into a mitigation grant project. An example would be to use ICC as match funds for a Hazard Mitigation Grant Program (HMGP) project to buy out property in the floodplain and convert the land in to open space.

Here is a quick outline of the steps for an ICC claim.

- An insured property is damaged by a flood.
- Policy holder notifies insurance agent.
- Floodplain Manager for the jurisdiction determines the property is substantially damaged.
- Floodplain Manager provides written declaration of substantial damage by flood to owner.
- Property owner and Floodplain Manager meet to decide on best mitigation option.
- Property owner works with insurance agent to start the ICC process.
- When the work is completed it is inspected by the Floodplain Manager for compliance.
- Documentation of compliance is provided through approved permit, letter or certificate of occupancy.
- ICC funds are released to pay the contractor who did the work.

The above steps are very general. For more in depth details on the ICC process read the Federal Emergency Management Agency (FEMA) book from August of 2008 titled, "Increased Cost of Compliance Coverage, Guidance for State and Local Officials". The book is publication number FEMA P-301 and can be found on line from the FEMA website or ordered by calling 1-800-480-2520. Your citizens will not want to read a book about ICC so for them there is a trifold brochure called, "Increased Cost of Compliance Coverage, Creating a Safer Future." The brochure is publication number F-663. Communities will want to have a dozen of these brochures ordered in advance to be ready to distribute after a flood. The brochure will be attached to the email that goes out with the electronic version of this newsletter.

#### **In this bulletin...**

- **Increased Cost of Compliance**
- **Elevation In Progress**
- **Revised EC and LOMA forms**
- **Announcements**
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## Before, During and After Elevating a Home

A property in Butler County was substantially damaged by a flood. The home was located in an area prone to flash floods. There was a flood insurance policy on the house. The building owner filed for Increased Cost of Compliance (ICC) coverage. The owner worked with the insurance agent and the Floodplain Administrator in Butler County on an elevation project. James Eric Triplett from Butler County provided the following photos of the building in the original condition, during the elevation process and the final finished construction.

In the first photo you can see the building in the original condition as it was at time of flooding. In this photo about one third of the right hand side of the building is an attached garage with garage doors on the end. The cost to repair the flood damage was more than 50% of the market value of the building and it was determined to be substantially damaged. Flood water was about 3' deep in this area at the time of the flood.



In the second photo the garage structure has been removed and the home is in the process of being elevated. It sits on an 8' high foundation. Notice the flood vents in the foundation walls and the large opening in the foundation walls on the right where a new garage will be.



In the third photo all of the work is now completed. The homeowner built additional living space above the garage. The ICC funds only paid for \$30,000 toward the cost for the elevation work. The homeowner chose to do the extra work and pay for it himself while the contractor was on site.

The final finished home has much more living space, has increased in value a lot and is much safer from flooding. The flood insurance premiums will be greatly reduced at the new elevation. This is an example of a successful project using ICC funds to elevate a home.



## New Elevation Certificates and Non-Residential Floodproofing Certificates

The Federal Emergency Management Agency (FEMA) has updated two expired forms. The two updated forms are the Elevation Certificate and the Floodproofing Certificate for Non-Residential Structures. There are changes to these forms every floodplain manager, surveyor, architect and engineer should be aware of.

The new Elevation Certificate form looks a little different because it prints out on to legal sized paper. The place for surveyor seal and signature have been moved from bottom of the first page to top of the second page. The comments section D includes a reminder about equipment from C2e to be noted.

Floodplain Managers who have been getting copied on only page one of the form may appreciate the signature and seal being moved. There is also a statement at top of the first page that says, "Copy all pages of this elevation certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner." Community officials have told me they are not being copied on these forms.

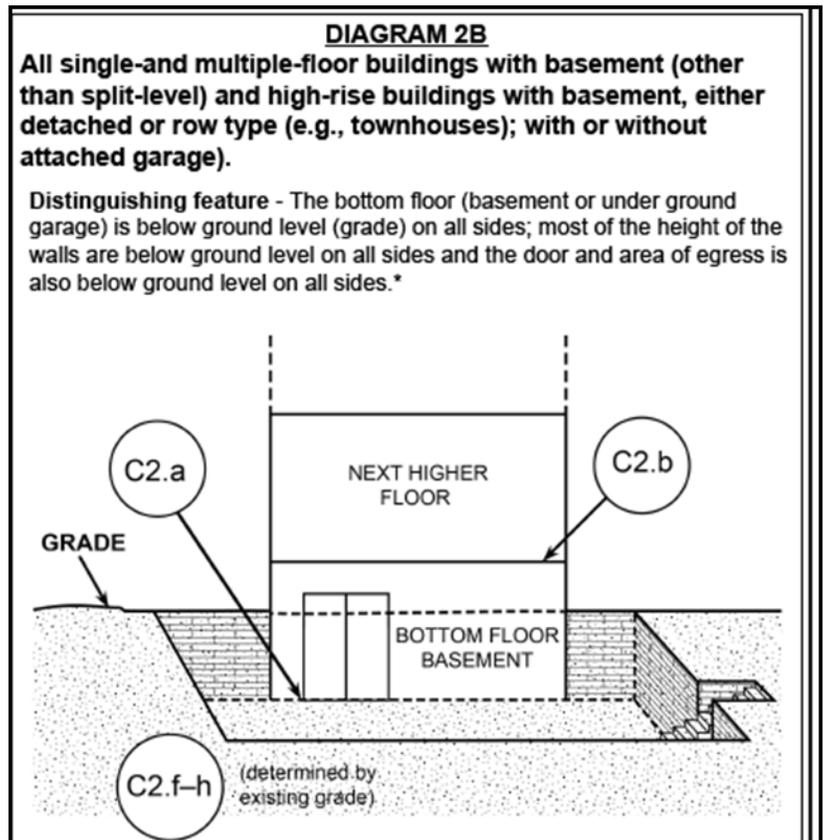
Building diagram 2, basement diagram, has been changed to be called building diagram 2A. A new building diagram 2B has been added for a basement with a below grade walk up patio. See the sketch at right taken from the elevation certificate form. Out of long time habit, some surveyors completing the form may write down diagram 2 and forget the new 2A designation.

The Floodproofing Certificate for Non-Residential Structures doesn't look completely different. Section II is now allowed to be completed by a surveyor and must be based on finished construction. Section II now includes a place for a signature and seal. Section II also includes an instruction to, "See the instructions section for information on documentation that must accompany this certificate if being submitted for flood insurance rating purposes."

Section III has a few minor changes to the certification statements. The Code of Federal Regulations 44 CFR 60.3(c)(3) has been added there. The biggest changes are on page 4 of 4 of the form in the instructions for completing the certificate. In order to receive credit for flood proofing the instructions require additional information to be provided with the certificate.

- Photographs of shields, gates and other flood protection components are required.
- Written certification that all portions of the structure below the base flood elevation will render it substantially impermeable to the passage of water and meet 44 Code of Federal Regulations requirements.
- A comprehensive Maintenance Plan is required for the entire structure.

Copies of the new forms will be included with the electronic version of this newsletter, sent out by email. The forms can also be found on the FEMA website. For assistance with elevation certificates attend one of the free training classes or contact Steve Samuelson at 785-296-4622.



## **Training Opportunities**

The Floodplain Management Program will host the following training sessions throughout Kansas. If you are interested in any of the no-cost training opportunities, please contact Tom Morey at 785-296-5440 or Steve Samuelson at 785-296-4622. A training registration form is in this newsletter. Registration closes ten days before date of class.

### **Nonstructural Flood Proofing Workshop**

This free class is being provided with an instructor from the US Army Corps of Engineers. This class will not be offered again this year. Sign up now for this one time opportunity. The course will look at nonstructural alternatives in detail. Topics include economic benefit, studies, elevation, relocation and acquisition. Approved 6 hours toward CFM. Limited to 40 participants.

- El Dorado - May 26, 2016 9:00 a.m.-4:00 p.m.

### **Elevation Certificates and Letters of Map Amendment**

This free class is designed for community officials responsible for administering floodplain management as well as surveyors and engineers who complete Letters Of Map Amendment (LOMA) and Elevation Certificate forms. The course will focus on accurate completion of Federal Emergency Management Agency (FEMA) technical forms, building diagrams and base flood elevation. Approved 3.5 hours toward CFM. Limited to 20 participants.

- Lindsborg– May 10, 2016 8:30 a.m.-12:30 p.m.

### **Full Day Basics and Elevation Certificates**

The Basics of the National Flood Insurance Program and the Elevation Certificate and Letters of Map Amendment classes will be provided back to back in a full day of training. These free classes are designed for community officials responsible for administering floodplain management regulations also for surveyors and other interested professionals. Approved 3.5 hours toward CFM for each class and a total of 7 hours of CFM credits for both classes. . Limited to 20 participants.

- Garden City - June 9, 2016 8:00 a.m.-4:30 p.m.

Find more information about floodplain management from Kansas Department of Agriculture  
Division of Water Resources on line at:  
<http://agriculture.ks.gov/divisions-programs/dwr/floodplain>

Email saves money on postage. The electronic newsletter also has links and the photos are in color. If you are getting this newsletter by postal mail and would prefer email please contact Steve Samuelson at [steve.samuelson@kda.ks.gov](mailto:steve.samuelson@kda.ks.gov).

Mark your calendar. The Kansas Association for Floodplain Management 2016 conference will be September 7 and 8 in Mulvane. More information will be posted at the website: [www.kafm.org](http://www.kafm.org). Registration will be done through a link on the website. If you have questions about registration please contact Don Slone, Chairman, at 913-667-1708.

**Kansas Department of Agriculture**  
**Division of Water Resources**  
**Floodplain Program**  
**Training Registration Form**

Name \_\_\_\_\_

\_\_\_\_\_

Title \_\_\_\_\_

Organization \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Name, date and location of training you will attend \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*Please share this invitation with anyone else who could benefit from the training.

\*\*Classroom locations will be sent to registered participants one week before the training.

Please mail or fax your registration to:

KANSAS DEPARTMENT OF AGRICULTURE  
FLOODPLAIN MANAGEMENT PROGRAM  
6531 SE Forbes Ave., Suite B  
TOPEKA, KS 66619  
Fax to: 785-296-7155

For questions about training, please contact Steve Samuelson by email at [steve.samuelson@kda.ks.gov](mailto:steve.samuelson@kda.ks.gov) or by phone 785-296-4622, or contact Tom Morey at [tom.morey@kda.ks.gov](mailto:tom.morey@kda.ks.gov) and 785-296-5440.

Please help us keep our records current. If the name that appears on this newsletter is for an individual no longer with your organization, please call 785-296-4622, or email [steve.samuelson@kda.ks.gov](mailto:steve.samuelson@kda.ks.gov) to report the change.

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Kansas Department of Agriculture  
Division of Water Resources  
Topeka Field Office  
Floodplain Management  
6531 SE Forbes Ave., Suite B  
Topeka, KS 66619

### **ASFPM 2016 National Conference in Grand Rapids**

The 2016 Association of State Floodplain Managers National Conference will be June 19-24, 2016 in Grand Rapids, Michigan This conference is an excellent opportunity for floodplain managers to receive training on mapping technologies, regulations, permitting, outreach and best practices. It is estimated the conference will be attended by more than 1,000 floodplain management professionals. This conference is great chance to meet people for networking and to learn the latest news in floodplain management.

### **KDA/DWR Water Structures Floodplain Program Staff**

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